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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,236	11/14/2003	Christopher J. Stone	MOTO/BCS03178	6961

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Motorola, Inc.
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1303 East Algonquin Road
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EXAMINER

SENGI, BEHROOZ M

ART UNIT	PAPER NUMBER
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2621

NOTIFICATION DATE	DELIVERY MODE
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07/09/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.US@motorola.com

Office Action Summary	Application No. 10/714,236	Applicant(s) STONE ET AL.	
	Examiner BEHROOZ SENFI	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments filed 3/25/2010 have been considered but are moot in view of the new ground(s) of rejection.
2. Claims 27-28 are still rejected under 35 U.S.C. 101 for the same reason as set forth in the Office Action, mailed 12/05/2008; because as indicated, the "media" and/or "medium" is defined in the specification (page 5 of US 2005/0108778, paragraph 0048 of the instant application) as "a carrier", "wireless communication", "telephone network", thus consider as a signal; such invention is non-statutory and fails to satisfy the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, MPEP 2106.1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 8, 10-14, 19 and 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2003/0093800) in view of Hazra (US 6,510,553).

Regarding claim 1, Demas discloses, a method of encoding a plurality of audio/video (AV) programs for simultaneous display on a display device (i.e., figs. 2-3 and 6), comprising; generating at least one non-composited digital transport stream (i.e., fig. 6, output of MUX 675), each non-composite digital transport stream being

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generated by combining a plurality of AV programs into a single non-composited digital transport stream by a multiplexer (i.e., fig. 6, MUX 675), generating control information associated with each non-composited digital transport stream of said non-composited digital transport stream by a control information unit (i.e., figs. 22-3 and 5-6 MPEG TS stream with embedded command/control packets), and augmenting the at least one non-composited digital transport stream with control information (i.e., figs. 22-3 and 5-6 MPEG TS stream with embedded command/control packets), transmitting the at least one non-composited digital transport stream as augmented over a digital link coupled to the display device (i.e., link coupled to the display device as shown in figs. 2-3).

Demas is silent to explicitly mention, control information operative to invoke simultaneous display of the plurality of AV programs on the display device, and wherein the control information associates each AV program with a corresponding region on the display device to be displayed.

Hazra (i.e., col. 3, lines 33-41) teaches simultaneously displaying signals from different sources on the corresponding portion of the display. It is clear that, the signals obviously would have control information/program code associated, in order for the decoder to properly decode and transmit the data to the corresponding portion of the display region to be simultaneously displayed.

Therefore, taking the combined teaching of Demas and Hazra together as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to modify the teaching of Hazra into the command packets of Demas for the

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purpose of simultaneous display of multiple streams, as suggested by Hazra (i.e., col. 2, lines 18-20).

Regarding claim 2, the combination of Demas and Hazra teaches, wherein the at least one non-composited digital transport stream comprises a single digital transport stream having a control packet associated with the plurality of AV programs (Demas; transport stream with embedded command packets shown in figs. 2-3 and 6).

Regarding claims 3 and 8, the combination of Demas and Hazra teaches, wherein the control information comprises identification data associated with each of the plurality of AV programs, the identification data disposed within the control packet (Demas; PIDs, page 8, paragraphs 0090-0093 and 0096).

Regarding claims 10-11 and 13-14, please refer to claims 1-3 above.

Regarding claims 12, 23 and 27, the limitations claimed are substantially similar to claim 1 above; therefore the ground for rejecting claim 1 also applies here.

Regarding claim 25, most of the limitations claimed have been analyzed and rejected with respect to claim 1 above. As for the additional limitations, extracting control information, and demultiplexer for receiving the AV programs, please see (figs. 2-3, decoding part, thus inherently includes demultiplexer and extraction features as claimed).

Regarding claim 26, the decoding process of AV digital transport stream as disclosed by Demas (i.e., figs. 2-3) necessities the claimed interface circuitry for receiving the at least one non-composited digital transport stream over a digital link, as claimed.

Regarding claim 28, most of the limitations claimed have been discussed with respect to claim 1 above. As for the additional limitations, extracting control information from the at least one non-composited digital transport stream; the decoder as shown in figs. 2 and 3 would extract the control information from the transport stream.

Regarding claims 19 and 21-22, please refer to claims 1-3 and 8 above.

Regarding claim 24, the combination of Demas and Hazra teaches, interface circuitry for transmitting the at least one non-composited digital transport stream over a digital link coupled between the encoder and the display device (Demas; fig. 2, the interface would have been necessitated for transmission of digital transport stream to display device 240).

5. Claims 4-7,9,15-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2003/0093800) in view of Hazra (US 6,510,553) further in view of Cloutier et al. (US 5,847,771).

Regarding claim 4, the combination of Demas and Hazra teaches, control information comprises identification data associated with AV programs, as shown in claim 3 above. But is silent to explicitly mention, packet comprises a program map table (PMT), and PIDs disposed within a description of the PMT.

However, Cloutier (i.e., col. 13, lines 29–37) teaches the above subject matter, packet comprises a program map table (PMT), and PIDs disposed within a description of the PMT.

Therefore, taking the combined teaching of Demas and Cloutier together as a whole, it would have been obvious to one skilled in the art at the time of the invention

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was made to modify the teaching of Cloutier into the command packets of Demas for the purpose of simultaneous process of two or more digital video signals, as suggested by Cloutier (i.e., col. 2, lines 10-11).

Regarding claims 5-6, the combination of Demas, Hazra and Cloutier teaches, transport stream comprises a single digital transport stream having a first control packet and a plurality of second control packets, each of the plurality of second control packets associated with a respective one of the plurality of AV programs, thus reads on (PIDs and PMT associated with respective one of AV stream, as disclosed by Demas and Cloutier, in claim 4 above).

Regarding claim 7, the combination of Demas, Hazra and Cloutier teaches, first control packet comprises a PAT, wherein each of the plurality of second control packets comprises a PMT, and wherein the identification data comprises packet identifiers PIDs associated with the PMT of each of the plurality of second control packets (Cloutier; col. 13, lines 28 – 37).

Regarding claim 9, the combination of Demas, Hazra and Cloutier teaches, operational code to invoke the simultaneous display, have been addressed in claim 1 above. As for, wherein the identification data comprises plurality of pairs of source and destination plugs, each of the plurality of pairs of source and destination plugs associated with a respective one of the plurality of AV programs (reads on PID and PMT of Cloutier, col. 6, lines 17 – 25 and col. 8, lines 56 – 65, the transport stream includes PID and PMT identification data associated with respective one of the plurality of AV programs, in claim 4 above).

Regarding claims 15-18 and 20, please refer to claims 4-7 and 9 above.

Contact

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrooz Senfi whose telephone number is 571-272-7339. The examiner can normally be reached on M-F 7:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Behrooz Senfi/
Primary Examiner
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